

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

NABORS DRILLING TECHNOLOGIES  
USA, INC.,

Plaintiff,

V.

HELMERICH & PAYNE INTERNATIONAL  
DRILLING CO., et al.,

Defendants.

Civil Action No. 3:20-cv-03126-M

## ORDER

Before the Court are Plaintiff Nabors Drilling Technologies USA, Inc.'s Motion for Preliminary Injunction Pursuant to Federal Rule of Civil Procedure 65(A) & 35 U.S.C. § 283 [ECF No. 2], and Defendants Helmerich & Payne International Drilling Co.; Helmerich & Payne Technologies, LLC; and Motive Drilling Technologies, Inc.'s Motion to Dismiss Pursuant to Federal Rule of Civil Procedure 12(B)(6) and 35 U.S.C. §101 [ECF No. 17].

In a Joint Status Report filed on June 11, 2021 [ECF No. 80], the parties requested that the Court hear the Motion for Preliminary Injunction after the claim construction hearing, which is scheduled for October 5, 2021. *See* ECF No. 74. The Court **GRANTS** the parties' request and tentatively **SETS** a hearing on the Motion for Preliminary Injunction for **November 3, 2021 at 9:00 a.m.** The Court will issue a ruling on the Motion for Preliminary Injunction following that hearing. The Motion for Preliminary Injunction is **ABATED** until the hearing.

Defendant's Motion to Dismiss is **DENIED** as **MOOT**. Plaintiffs have filed a First Amended Complaint [ECF No. 37] pursuant to Federal Rule of Civil Procedure 15(a)(1). *See* Fed. R. Civ. P. 15(a)(1). The First Amended Complaint supersedes the Original Complaint [ECF

No. 1] and moots Defendants' Motion to Dismiss. *See Phillips v. United Parcel Serv.*, No. 3:10-cv-01197-G, 2011 WL 477282, at \*1 (N.D. Tex. Feb. 8, 2011) (Fish, J.).

**SO ORDERED.**

September 20, 2021.

  
BARBARA M. G. LYNN  
CHIEF JUDGE